

19 APR 1977

MEMORANDUM FOR: Chief, Regulations Control Branch, DDA

SUBJECT : Proposed [ ] CIA Records Destruction Policy (Job 7973)

We have the following comments on the proposed notice:

- ✓ ? a. Because many officers in the Agency do not know what is and what is not a federal record, we believe it would be useful to include in the notice the definition of federal records from the Code of Federal Regulations, Title 41, chapter 101-11.101.3.  
*OK (44 U.S.C.)*
- ✓ b. Subparagraph 2b seems ambiguous in not stating who is responsible for determining from the General Counsel whether or not records scheduled for destruction are related to litigation, investigation or FOIA or Privacy Act requests. We suggest that responsibility be given the component RMO and that the first sentence of the subparagraph be modified as follows:  
*(insert below)*  
← *(NO)* → "The component records management officer must determine that records being processed for destruction are not related to litigation..."  
→ *(OK)* →
- ✓ *(OK)* c. The reference in the first sentence of subparagraph 2b to "possible litigation" is too encompassing. Almost any Agency record could at some time be involved in litigation. We suggest the phrase "or possible litigation" be deleted from the sentence.  
*OK (insert below)*
- ✓ *(OK)* d. What was said above concerning "possible litigation" applies also to the phrase "potential legal or investigative requirements" in the third sentence of subparagraph 2b. We suggest that the words "or potential" be deleted from that sentence.  
*OK (insert below)*
- x *(No.)* e. Should the notice not be marked "Administrative-Internal Use Only"? STAT

Chief,



STAT

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